

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

KARLENE CORT,)	
)	No. CV-05-3050-MWL
Plaintiff,)	
)	ORDER GRANTING JOINT
v.)	MOTION FOR REMAND
)	
JO ANNE B. BARNHART,)	
Commissioner of Social)	
Security,)	
)	
Defendant.)	

The parties have filed a stipulation for remand of the above captioned case to the Commissioner for further administrative proceedings. (Ct. Rec. 29). The parties have consented to proceed before a magistrate judge. (Ct. Rec. 4). After considering the stipulation,

IT IS ORDERED that the above-captioned case be remanded for further administrative proceedings. Upon remand, the case will be heard before a new ALJ. The ALJ will re-consider the combined effects of the Plaintiff's impairments, including chronic fatigue syndrome ("CFS"), sleep apnea, dysthymia, provisional personality disorder and accompanying impairments, and any other impairments evident from the updated record. The ALJ will reconsider the opinions of Drs. Williams (AR 226-229), Buckner and Van Voorhis (AR 169-171), Schultz (AR 166), Pascualy (AR 183-85), and Buchwald

1 (AR 186-189), as well as the RFC assessment by the state agency
2 psychologists (AR 253-254). The ALJ will re-evaluate Plaintiff's
3 credibility pursuant to SSR 96-7p and the regulations. If an on
4 the record fully favorable decision is not issued, the ALJ will
5 hold a new hearing and, if necessary, obtain supplemental
6 vocational expert testimony. The ALJ will make a new
7 determination as to Plaintiff's disability, taking all evidence
8 into account, and issue a new decision.

9 This Court hereby reverses the Commissioner's decision under
10 sentence four of 42 U.S.C. § 405(g) with a remand of the cause to
11 the Commissioner for further proceedings. *See Melkonyan v.*
12 *Sullivan*, 501 U.S. 89 (1991).

13 **IT IS FURTHER ORDERED:**

14 1. The parties Joint Motion to Remand (**Ct. Rec. 29**) is
15 **GRANTED**.

16 2. Judgment shall be entered for the **PLAINTIFF**.

17 3. An application for attorney fees may be filed by
18 separate motion.

19 4. The District Court Executive is directed to enter this
20 Order, forward copies to counsel, and thereafter shall **close** this
21 file.

22 DATED this 7th day of March, 2006.

23
24 S/ Michael W. Leavitt
25 MICHAEL W. LEAVITT
26 UNITED STATES MAGISTRATE JUDGE
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